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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor : Jeffrey John Scholl et al.

Appln. No. : 10/681,581

Filed : October 8, 2003

Group Art Unit: 2171

For : SYSTEM AND METHOD FOR
IDENTIFYING A FOOD EVENT,
TRACKING THE FOOD PRODUCT,
AND ASSESSING RISKS AND
COSTS ASSOCIATED WITH
INTERVENTION

Examiner: Luke Wassum

Docket No.: F52.12-0001

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS BEING
SENT BY U.S. MAIL, FIRST CLASS, TO THE
COMMISSIONER FOR PATENTS, P.O. BOX 1450,
ALEXANDRIA, VA 22313-1450, THIS

3rd DAY OF August, 2004


J. Thomas Scholl
PATENT ATTORNEY

Sir:

The patents or publications listed on the enclosed PTO Form-1449 are submitted pursuant to 37 C.F.R. § 1.97. Copies of foreign references or "other art" cited enclosed.

LIST REFERENCES NOT SUBMITTED

Submitted herewith is a copy (with English translation as appropriate) of an Official Search Report of the US PCT Receiving Office Patent Office in counterpart foreign application No. PCT/US03/31887 filed 8 October 2003.

TIME OF FILING

The information disclosure statement is being filed:

1. X with the application or within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. In accordance with 37 C.F.R. § 1.97(b), no statement or

fee is required.

2. _____ after the time period specified in paragraph 1 above, but before the mailing date of a final action under 37 C.F.R. § 1.113 or notice of allowance under 37 C.F.R. § 1.311. Therefore, in accordance with 37 C.F.R. § 1.97(c), submitted herewith is:

(check either A or B below)

- A. _____ a statement as specified in 37 C.F.R. § 1.97(e).
B. _____ the fee set forth in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c).

3. _____ after the mailing date of either a final action under 37 C.F.R. § 1.113 or a notice of allowance under 37 C.F.R. § 1.311, whichever occurs first, but before payment of the issue fee. Therefore, Applicant petitions for consideration and submits herewith:

- A. a statement as specified in 37 C.F.R. § 1.97(e);
B. the petition fee set forth in 37 C.F.R. § 1.17(p).

STATEMENT

(only used if No. 2(A) or No. 3 above is checked)

The person(s) signing below certify

(check appropriate paragraph)

_____ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. § 1.97(e)(1).

OR

_____ that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the

certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. § 1.97(e)(2).

METHOD OF PAYMENT

X No fee is required.

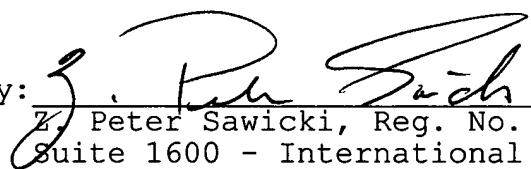
Attached is a check in the amount of \$ _____.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123. A duplicate copy of this communication is enclosed.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By:


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ZPS/RMR/rkp

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| FORM PTO-1449 | | Atty. Docket No.: F52.12-0001 | Appl. No.: 10/681,581 |
|  <p>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</p> | | First Named Inventor: | |
| | | Jeffrey John Scholl et al. | |
| | | Filing Date | Group Art: |
| October 8, 2003 | | 2171 | |

U.S. PATENT DOCUMENTS

| Examiner Initial | Document No. | Date | Name | Class | Sub Class | Filing Date If Appropriate |
|------------------|-----------------|---------|-------------------|-------|-----------|----------------------------|
| AA | 5,478,990 | 12/1995 | Montanari et al. | 235 | 375 | |
| AB | 6,409,082 | 06/2002 | Davis et al. | 235 | 385 | |
| AC | 6,671,698 | 12/2003 | Pickett et al. | 707 | 104.1 | |
| AD | 6,691,135 | 02/2004 | Pickett et al. | 707 | 104.1 | |
| AE | US 2003/0177025 | 09/2003 | Curkendall et al. | 705 | 1 | |

FOREIGN PATENT DOCUMENTS

| | | Document No. | Date | Country | Class | Sub Class | Translation Yes No |
|--|----|--------------|------|---------|-------|-----------|--------------------|
| | AF | | | | | | |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
|----|--|
| AG | "Making the Nation Safe: The Role of Science and Technology in Counteracting Terrorism," Committee on Science and Technology for Countering Terrorism, National Research Council, National Academies Press, Washington D.C. 2002, pp. 1-106. |
| AH | Cipra, Barry A.; "Hot Topics" Workshop Takes a Logistical Look at Biodefense from SIAM News, Vol. 35, No. 10, Dec. 2002, pp. 1-3. |
| AI | Cellarosi et al., G.; "Detecting Outbreaks by Time Series Analysis," Dept. of Electronics, Computer Science and Systems, Proceedings of the 15th IEEE Symposium on Computer-Based Medical Systems, 2002, pp. 1-6. |
| AJ | Scott, J. and Applebaum, R.; "The Food Industry's Response to Ensuring Food Security and Safety," Bioterrorism and Food Security: Issues and Challenges, National Food Processors Association, Oct. 28-29, 2002, 50 pages. |
| AK | Copy of International Search Report of US PCT Receiving Office |
| AL | "Quantitative Assessment of the Relative Risk to Public Health from Foodborne <i>Listeria monocytogenes</i> Among Selected Categories of Ready-to-Eat Foods, Center for Food Safety and Applied Nutrition Food and Drug Administration, U.S. Department of Health and Human Services, Sept. 2003, pp. 1-272. |

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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|------------------|--------------|------|------|-------|-----------|----------------------------|
| AM | | | | | | |

FOREIGN PATENT DOCUMENTS

| | Document No. | Date | Country | Class | Sub Class | Translation Yes No |
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| AN | | | | | | |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

| | |
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| AO | Woo, Dr. Gordon.; "The Evolution of Terrorism Risk Modeling," <u>Journal of Reinsurance</u> , Apr. 22, 2003, 9 pgs. |
| AP | Nganje et al., W.; "Terrorism and the Grain Handling System in Canada and the United States," Principal Session 2, Paper 3, CAES Annual Meeting, July 26-30, 2003, Montreal Canada. <u>Journal of Canadian Agricultural Economics Society</u> , pp. 1-35. |
| AQ | Abstract Only : Wijtzes et al., T.; "A Decision Support System for the Prediction of Microbial Food Safety and Food Quality," <u>International Journal of Food Microbiology</u> , Vol. 42, Issue 1-2, June 30, 1998, pp. 79-90. |
| AR | Bailar III, J.; "Ensuring Safe Food: An Organizational Perspective," <u>FirePower in the Lab</u> , Joseph Henry Press, Washington D.C., 2001. pp. 133-142 |
| AS | Maslanka et al., S.; "Foodborne Pathogen and Toxin Diagnostics: Current Methods and Needs Assessment from Surveillance, Outbreak Response, and Bioterrorism Preparedness Perspectives," , " <u>FirePower in the Lab</u> , Joseph Henry Press, Washington D.C., 2001. Pp. 143-163. |
| AT | Bruemmer, B.; "Good Biosecurity," <u>Journal of the American Dietetic Association</u> , Vol. 103, No. 6, June 2003. pp. 687-692. |
| AU | Lammerding, A.M. and Paoli, G.M.; "Quantitative Risk Assessment: An Emerging Tool for Foodborne Pathogens," <u>Emerging Infectious Diseases</u> , Vol. 3 (Oct./Dec. 1997, pp. 483-487. |
| AV | Joppen, L.; "Food Terror," <u>Food Engineering and Ingredients</u> , Vol. 28, No. 4, August 2003, p. 3 |

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| AW | | | | | | |

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| | AX | | | | | | |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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|----|---|
| AY | Bidawid et al., S.; "Contamination of Foods by Food Handlers: Experiments on Hepatitis A Virus Transfer to Food and Its Interruption" <u>Applied and Environmental Microbiology</u> , Vol. 66, No. 7, July 2000, pp. 2759-2763. |
| AZ | Food Net Annual Report 2000, Published 2001. Pp. 1-36. |
| BA | Koopman, J.; "Responding to an Infection Transmission Emergency," IMA Special "Hot Topics" Workshop: Operational Modeling and Biodefense, Problems, Techniques and Opportunities. University of Minnesota Institute for Mathematics and Its Applications. 16 pgs. |
| BB | |
| BC | |
| BD | |
| BE | |
| BF | |

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